

AO 91 (Rev 8/01) Criminal Complaint

United States District Court  
Southern District Of Texas

FILED

## United States District Court

MAY 13 2020

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Case Number: M-20- 0978 -M

SIMON URIEL ESTRADA-DIAZ

~~Simon ESTRADA-DIAZ (MEX)~~, Francisco LLANA-TELLO (MEX),~~Pedro OLIVA-RUBIO (MEX)~~, Jesus AGUIRRE-PEREZ (MEX)

PEDRO ANTONIO OLIVA-RUBIO

jl (5/14/20)

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about 05/13/2020 in Starr County, inthe Southern District of Texas the defendant(s)

(Track Statutory Language of Offense)

21 USC 841 &amp; 846 - Conspiracy to Possess with the Intent to Distribute and Possession with Intent to Distribute Marijuana, approximately 207.0 kilograms, a schedule I controlled substance.

in violation of Title 21 United States Code, Section(s) USC 841 & 846I further state that I am a(n) Texas DPS CID Special Agent and that this complaint is based on the following facts:

See attached affidavit.

Continued on the attached sheet and made a part of this complaint:

Yes X No

Approved by: AUSA Patricia Cook Profit

Submitted by reliable electronic means, sworn to and attested  
to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

C 7:43 PM

May 13, 2020

J. Scott Hacker, U.S. Magistrate Judge  
Name and Title of Judicial Officer

/S/ Jose Rodriguez

Signature of Complainant

Jose Rodriguez Texas DPS CID Special

Signature of Judicial Officer

## ATTACHMENT 1

1. On May 13, 2020, at approximately 12:45 a.m., U.S. Border Patrol (USBP) agents in La Casita, TX observed numerous individuals walking along the south side of the Rio Grande River with what appeared to be eight (8) bundles of suspected narcotics. Shortly after, agents observed nine (9) individuals get into a raft and cross the river into the United States (U.S.). USBP agents then observed one of the subjects return to the raft and cross the river back into Mexico. Agents observed two other individuals begin loading what appeared to be bundles of suspected narcotics into the raft on the south side of the river. One individual then boarded the raft and crossed the river into the U.S. with the suspected bundles of narcotics. Agents then heard what sounded like individuals unloading the bundles of suspected narcotics on the north side of the river.
2. USBP agents subsequently responded to the area in attempt to make contact with the individuals. Shortly after, a USBP surveillance camera showed several individuals carrying suspected bundles of narcotics directly north of agents. Shortly after, agents heard movement in the brush and located the group of individuals. Agents identified themselves as law enforcement to the individuals, who began running south out of the brush. Agents subsequently apprehended four (4) of the individuals – Jesus AGUIRRE-PEREZ, Simon ESTRADA-DIAZ, Francisco LLANA-TELLO, and Pedro OLIVA-RUBIO.
3. USBP agents backtracked from where AGUIRRE-PEREZ, ESTRADA-DIAZ, LLANA-TELLO, and OLIVA-RUBIO were apprehended and discovered, approximately a quarter mile away, eight (8) bundles wrapped in black plastic containing suspected marijuana.
4. At the Rio Grande City, Texas USBP Station, agents processed the marijuana, which weighed approximately 207 kilograms. Agents also conducted a field test, which tested positive for characteristics of marijuana.
5. In a post-arrest, mirandized interview conducted by Texas Department of Public Safety (TXDPS) and Drug Enforcement Administration (DEA) agents, Jesus AGUIRRE-PEREZ admitted to agents of knowingly possessing and transporting marijuana into the United States. AGUIRRE-PEREZ told agents that he (AGUIRRE-PEREZ) was going to be paid \$300 U.S. currency to transport the marijuana into the U.S. AGUIRRE-PEREZ told agents that the other three (3) individuals (ESTRADA-DIAZ, LLANA-TELLO, and OLIVA-RUBIO) who were arrested with him carried bundles of marijuana as well.
6. In a post-arrest, mirandized interview conducted by TXDPS and DEA, ESTRADA-DIAZ told agents that he (ESTRADA-DIAZ) was working to a payoff a debt that his uncle owes. ESTRADA-DIAZ told agents that his role was to act as a lookout for law enforcement during the marijuana smuggling attempt on that same day. ESTRADA-DIAZ stated that he was going to be paid \$200 U.S. currency for acting as a lookout and that he knew marijuana was going to be crossed from Mexico into the United States.
7. In a post-arrest, mirandized interview conducted by TXDPS and DEA, LLANA-TELLO admitted to agents that he knowingly possessed and transported marijuana into the United States. LLANA-TELLO stated that he was going to be paid \$200 U.S. currency to transport the marijuana into the United States. LLANA-TELLO told agents that the other three (3) individuals (ESTRADA-DIAZ, AGUIRRE-PEREZ, and OLIVA-RUBIO) who were arrested with him also carried bundles of marijuana.

8. In a post-arrest, mirandized interview conducted by TXDPS and DEA, OLIVA-RUBIO admitted to agents that he knowingly possessed and transported marijuana into the United States. OLIVA-RUBIO stated that he was attempting to enter the U.S. to find work, and that he agreed to transport marijuana into the U.S. for free instead of paying a crossing fee.